



0360  
HJG  
G.2010  
Dkt. 2793/63122/JPW/JML/CMR

JUL 30 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Jeannette Whitcomb  
Serial No. : 09/663,885  
Filing Date : September 15, 2000  
For : MEANS AND METHODS FOR MONITORING NON-NUCLEOSIDE REVERSE TRANSCRIPTASE INHIBITOR ANTIRETROVIRAL THERAPY

1185 Avenue of the Americas  
New York, New York 10036  
July 20, 2001

Assistant Commissioner for Patents  
Washington, D.C. 20231

SIR:

**COMMUNICATION WITH PETITION REQUESTING WITHDRAWAL OF  
MAY 22, 2001 NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)**

This Communication with Petition is submitted in response to a May 22, 2001 Notice of Incomplete Reply (Nonprovisional) issued by the United States Patent and Trademark Office in connection with the above-identified application. A response to the May 22, 2001 Notice of Incomplete Reply is due July 22, 2001. Accordingly this Communication with Petition Requesting Withdrawal of the May 22, 2001 Notice of Incomplete Reply is being timely filed. A copy of the Notice is enclosed as **Exhibit A**.

The May 22, 2001 Notice of Incomplete Reply alleged that Figure 10 described in the subject application was missing.

In reply, applicant submits that Figure 10 was filed with the subject application on September 15, 2000, and was received by the United States Patent and Trademark Office. The applicant submitted Figure 10 on page 110 of the specification for the subject

Applicant: Jeannette Whitcomb  
Serial No.: 09/663,885  
Filed: September 15, 2000  
Page 2

application. A copy of page 110 of the specification for the subject application is attached hereto as **Exhibit B**. Applicant submits as **Exhibit C** attached hereto, a copy of the postcard receipt which was stamped by the U.S. Patent and Trademark Office according a September 15, 2001 filing date and confirming, inter alia, that 110 pages of the specification and an Express Mail Certificate of Mailing dated September 15, 2000 were received by the U.S. Patent Trademark Office. Accordingly, applicant respectfully submits that the May 22, 2001 Notice was issued in error and petitions that the May 22, 2001 Notice of Incomplete Reply be withdrawn, and that Figure 10 of the subject application be accorded the filing date of September 15, 2000.

No fee, other than the enclosed \$130 fee for the Petition Requesting Withdrawal of May 22, 2001 Notice of Incomplete Reply is deemed necessary in connection with the filing of this Communication with Petition. However, if any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,

Jane M. Love

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:  
Assistant Commissioner for Patents,  
Washington, D.C. 20231.

Jane M. Love 7/20/01  
John P. White Date

John P. White  
Reg. No. 28,678  
Jane M. Love  
Reg. No. 42,812

John P. White  
Registration No. 28,678  
Jane M. Love  
Registration No. 42,812  
Attorneys for Applicants  
Cooper & Dunham LLP  
1185 Avenue of the Americas  
New York, New York 10036  
(212) 278-0400